

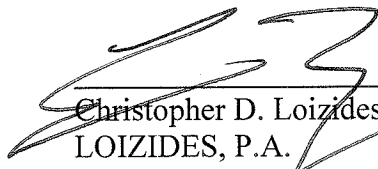
IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:	)	Chapter 7
	)	
AMERICAN BUSINESS FINANCIAL	)	Case No. 05-10203 (MFW)
SERVICES, INC., <i>et al.</i> <sup>1</sup> ,	)	
	)	
Debtors.	)	
<hr/>		
	)	
George L. Miller, Chapter 7 Trustee for	)	
the Bankruptcy Estates of American	)	
Business Financial Services, Inc., <i>et al.</i> ,	)	
	)	
Plaintiff,	)	Adv. Proc. No. 07-50304 (KG)
v.	)	
	)	
William P. Kirk,	)	<b>JURY TRIAL DEMANDED</b>
	)	
Defendant.	)	<b>Objection Deadline: August 9, 2007</b>
<hr/>		

**DEFENDANT'S MOTION  
TO WITHDRAW THE REFERENCE**

For the reasons in the attached memorandum of law, defendant requests that the District Court withdraw the reference of the above-captioned adversary proceeding pursuant to 28 U.S.C. § 157(d).

DATED: July 27, 2007

  
\_\_\_\_\_  
Christopher D. Loizides (No. 3968)  
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Wilmington, DE 19801  
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*Counsel for William P. Kirk*

<sup>1</sup> On January 21, 2005, American Business Financial Services, Inc. filed Case No. 05-10203, Tiger Relocation Company filed Case No. 05-10204, American Business Credit, Inc. filed Case No. 05-10206, Home American Credit, Inc. filed Case No. 05-10207, and American Business Mortgage Services, Inc. filed Case No. 05-10208 (hereinafter referred to as the "Debtors" herein). ABFS Consolidated Holdings, Inc. filed a petition on January 24, 2005. Based on information and belief, none of the Transfers at issue herein were made by ABFS Consolidated Holdings, Inc.

**EXHIBIT A – PROPOSED ORDER**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 7
	)	
AMERICAN BUSINESS FINANCIAL SERVICES, INC., <i>et al.</i> <sup>1</sup> ,	)	Case No. 05-10203 (MFW)
	)	
Debtors.	)	
	)	
	)	
George L. Miller, Chapter 7 Trustee for the Bankruptcy Estates of American Business Financial Services, Inc., <i>et al.</i> ,	)	
	)	
Plaintiff,	)	Adv. Proc. No. 07-50304 (KG)
	)	
v.	)	<b>JURY TRIAL DEMANDED</b>
	)	
William P. Kirk,	)	
	)	<b>Objection Deadline: August 9, 2007</b>
Defendant.	)	
	)	<b>Re: Docket No. ____</b>

**ORDER GRANTING DEFENDANT'S  
MOTION TO WITHDRAW THE REFERENCE**

Upon Defendant's Motion to Withdraw the Reference (adv. docket no. \_\_\_\_\_, the  
"Motion") being duly considered on this \_\_\_\_\_ day of \_\_\_\_\_, 2007;

**IT IS HEREBY ORDERED THAT:**

1. The Motion is **GRANTED**.
2. The reference of the above-captioned adversary proceeding is hereby withdrawn pursuant to 28 U.S.C. § 157(d).

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007

\_\_\_\_\_  
UNITED STATES DISTRICT COURT JUDGE

<sup>1</sup> On January 21, 2005, American Business Financial Services, Inc. filed Case No. 05-10203, Tiger Relocation Company filed Case No. 05-10204, American Business Credit, Inc. filed Case No. 05-10206, Home American Credit, Inc. filed Case No. 05-10207, and American Business Mortgage Services, Inc. filed Case No. 05-10208 (hereinafter referred to as the "Debtors" herein). ABFS Consolidated Holdings, Inc. filed a petition on January 24, 2005. Based on information and belief, none of the Transfers at issue herein were made by ABFS Consolidated Holdings, Inc.

**TRANSMITTAL SHEET FOR WITHDRAWAL OF REFERENCE TO THE  
U.S. DISTRICT COURT FOR THE DISTRICT OF DELAWARE**

**Adversary Case #:07-50304-(KG)**  
**Related Bankruptcy Case #:05-10203-(KG)**  
**District Court Civil Action#:**

**Deputy Clerk Transferring Case:** Barbara M. Torres

**Case Type:** (Adversary)

**Nature of Suit:** (547- Recover Money or Property)

**Cause of Transmittal:** (i.e. Order dated \_\_\_\_\_, Withdrawing the  
Reference to the U.S. District Court)

**Parties:** George L. Miller, Ch. 7 Trustee for the Bankruptcy  
Estates of American Business Financial Services,  
Inc., et al. vs. William P. Kirk

**Plaintiff's Counsel:** John T. Carroll, III  
Cozen O'Connor  
1201 North Market Street, Suite 1400  
Wilmington, DE 19801  
302-295-2028  
jcarroll@cozen.com

**Defendant's Counsel:** **Christopher D. Loizides**  
Loizides & Associates  
1225 King Street, Suite 800  
Wilmington, DE 19801  
302-654-0248  
ecf.admin@loizides.com

revised: 10/20/03

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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

DAVID D. BIRD  
CLERK OF COURT

824 MARKET STREET  
WILMINGTON, DE 19801  
(302) 252-2900

Date: August 16, 2007

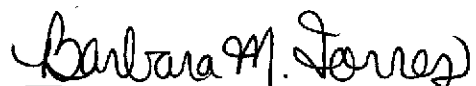
To: Clerk of Court  
U.S. District Court  
District of Delaware  
Wilmington, DE 19801

Re: Adversary Case No.: 07-50304-(KG)  
Related BK Case No.: 05-10203-(KG)

On July 27, 2007, a Motion to Withdraw the Reference to U.S.D.C. for the District of Delaware was filed in the above-mentioned case. Enclosed is a Certified Copy of the Docket Sheet, a Transmittal Sheet, and the Motion to Withdraw the Reference with any related documents for the above-mentioned case.

Please acknowledge receipt of the above transferred record by completing the information below.

Sincerely,



Barbara M. Torres, Deputy Clerk

I hereby acknowledge receipt of the above transferred record this \_\_\_\_ day of \_\_\_\_ 2007.

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Supervisor